

REMARKS

This is in full and timely response to the above-identified Office Action. The above listing of the claims replaces all prior versions, and listings, of claims in the application. Reexamination and reconsideration in light of the proposed amendments and the following remarks are respectfully requested.

Rejections under 35 USC § 102

The rejection of claims 1, 8 and 10 under 35 USC § 102(b) as being anticipated by Saund (USP 5,835,241) is respectfully traversed.

This rejection is based on the premise that the light stripes in Saund will “inherently concentrate where the diverge is relatively low since the light strips will behave the same was under similar conditions.”

The only problem with this position is that similar conditions do not exist and definitely would not exist each and every time that sheets of light are projected to form light strips on a surface (a requirement of inherency). In this instance, just because a series of sheets of light are projected (in Saund) onto a book or the like to form sheets of stripes thereon, there is nothing to suggest that the sheets of light are projected (by the projector) so as to be anything but planar and parallel and accordingly devoid of any relative divergence.

Thus, without explicit disclosure, it cannot be assumed that there will be any relative divergence between adjacent sheets of light, let alone any divergence which varies laterally across the sheets so that the resulting stripes are concentrated where the divergence between the sheets is relatively low (viz., where the sheets are caused by the minimum divergence to be relatively close to one another).

As made clear on page 10, lines 13-36, of the originally filed specification, one embodiment of the disclosed invention is such that a plurality of conic light sheets are produced on either side of a central planar light sheet and are such as to bow concavely inwards toward the central planar light sheet. The resulting minimum divergence which occurs in the middle of the light sheets induces the situation wherein the claimed strip concentration (see Figs. 4 and 5), is produced. However, this is but one embodiment and

it is not seen at this time, that there is any need stemming from the disclosure of Saund, to narrow the claims toward such a specific type of arrangement.

In summary, it is submitted that it is the manner in which the light sheets are projected and the relative divergence of adjacent sheets of light (which relative divergence varies laterally across the sheets) which causes the stripes to be concentrated (be locally close to one another) where the divergence between the sheets of light is relatively low. This projection is deliberately and controllably induced and there is no way that this could "inherently" occur without the projector being configured to produce such a combination of light sheets.

It is therefore submitted that a *prima facie* case of anticipation has not been established. Indeed, the fact that the rejection has had to rely on "inherency" to meet the claimed requirements is taken as a tacit admission that the Saund reference does not specifically disclose that which is claimed.

Allowable Subject Matter

The indication that claims 2-7 and 9 contain allowable subject matter is noted with appreciation. However, it is deemed premature, in light of the above traverse, to consider rewriting any of these claims into independent form at this time.

Conclusion

The rejection of claims 1, 8 and 10 is deemed to be untenable and should be withdrawn for at least the reasons advanced above. Favorable reconsideration and allowance of all claims pending in this application is accordingly solicited.

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